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EXAMINER

TRAN, QUOC A

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 03/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/594,054

Applicant(s)

KAPLAN ET AL.

Examiner

Quoc A. Tran

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-46 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 60/211,019-60/217,345-09/828,511.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to Brief On Appeal, filed 11/05/2004.
2. Claims 1-46 are currently pending in this application. Claims 1, 13, 22, 31, and 40 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1- 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horvitz-US006085226A – filed 01/15/1998 (hereinafter ‘226), in view of Shuping et al - US006313855B1 – 02/04/2000 (hereinafter ‘855).

As to independent claim 1, “storing on a client device a set of references to external destinations in an external network environment, each destination having an associated bookmark media object located in the external network environment”, as taught by ‘226 at col. 7, line 60 through col. 8, line 10 (i.e... networked connection has been established between client computer 10 and server computer 60, ...The term

"page", in this context, refers to content accessed, via a URL, including, e.g., text, graphics and other information....selection amongst a stored list of addresses, i.e. so-called "bookmarks"...),

"presenting the bookmark media objects to a user for selection; and accessing the network destination corresponding to the selected bookmark media object", as taught by '226 at col. 39, line 60 through col. 40, line 55 (i.e... FIG. 15A which depicts illustrative display 1500 from a web browser, such as browser 35 shown in FIG. 6, that contains preview windows 1520, and collaborative filtering output window 1530 which provides recommendations to a user. The reader should also simultaneously consider FIG. 15B which depicts abstraction 1550 of display 1500 that illustrates various transition probabilities associated with this display...),

'226 does not explicitly teach, *"the associated bookmark media object when presented to a user providing information regarding a state of the destination"*, however as taught by '855 at col. 8, line 60 through col. 9, line 15 (i.e... user 110 may bookmark current web page 215... the bookmark includes not only a reference to current web page 215, but also to each of past web pages 225 and future web pages 235 as well as their respective locations so that the entire scene of browsing room 300 may be recreated...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '855 into '226 to provide a way, wherein the associated bookmark media object when presented to a user providing information regarding a state of the destination. One of ordinary skill in the art would have been

motivated to modify this combination to provide a web browser executing method, that can process page requests using processing and networking capacity, available during intervals of relatively low activity, such as, e.g. idle CPU or network capacity, that would otherwise be wasted, or for allocating varying amounts of networking resources away from downloading and display of components of a requested URL and in favor of downloading content associated with potential future URL requests. Advantageously, use of such a technique is likely to significantly increase the rate at which pages are typically displayed to a user, thus reducing user frustration and increasing user satisfaction, as taught by '226 at col. 3, lines 30-50 (i.e.... a web browser executing there....).

As to dependent claim 2, *"storing on the client device a set of references to the bookmark media objects"*, as taught by '226 at col. 7, line 60 through col. 8, line 10 (i.e... networked connection has been established between client computer 10 and server computer 60, ... The term "page", in this context, refers to content accessed, via a URL, including, e.g., text, graphics and other information....selection amongst a stored list of addresses, i.e. so-called "bookmarks" ...).

As to dependent claim 3, *"accessing the network destination comprises retrieving a web page corresponding to the selected bookmark media object"*, as taught by '226 at col. 39, line 60 through col. 40, line 55 (i.e... FIG. 15A which depicts illustrative display 1500 from a web browser, such as browser 35 shown in FIG. 6, that contains preview windows 1520, and collaborative filtering output window 1530 which provides recommendations to a user. The reader should also simultaneously consider

FIG. 15B which depicts abstraction 1550 of display 1500 that illustrates various transition probabilities associated with this display...).

As to dependent claim 4, " *wherein accessing the network destination comprises retrieving a three-dimensional environment corresponding to the selected bookmark media object*", however as taught by '855 at col. 2, lines 45-50 (i.e. ... rendering the various web pages are provided in a three-dimensional space...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '855 into '226 to provide a way, wherein accessing the network destination comprises retrieving a three-dimensional environment corresponding to the selected bookmark media object. One of ordinary skill in the art would have been motivated to modify this combination to provide a web browser executing method, that can process page requests using processing and networking capacity, available during intervals of relatively low activity, such as, e.g. idle CPU or network capacity, that would otherwise be wasted, or for allocating varying amounts of networking resources away from downloading and display of components of a requested URL and in favor of downloading content associated with potential future URL requests. Advantageously, use of such a technique is likely to significantly increase the rate at which pages are typically displayed to a user, thus reducing user frustration and increasing user satisfaction, as taught by '226 at col. 3, lines 30-50 (i.e.... a web browser executing there....).

As to dependent claim 5, “retrieving the bookmark media objects from one or more hosts”, as taught by ‘226 at col. 21, line 65 through col. 22, line 5 (i.e. ... shown in FIG. 5, incoming information can arise from two illustrative external sources...).

As to dependent claim 6, “wherein presenting the bookmark media objects comprises displaying at least one thumbnail”, however as taught by ‘855 at col. 2, lines 60-65 (i.e. ... plurality of past web pages is rendered as a thumbnail image...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified ‘855 into ‘226 to provide a way, wherein presenting the bookmark media objects comprises displaying at least one thumbnail. One of ordinary skill in the art would have been motivated to modify this combination to provide a web browser executing method, that can process page requests using processing and networking capacity, available during intervals of relatively low activity, such as, e.g. idle CPU or network capacity, that would otherwise be wasted, or for allocating varying amounts of networking resources away from downloading and display of components of a requested URL and in favor of downloading content associated with potential future URL requests. Advantageously, use of such a technique is likely to significantly increase the rate at which pages are typically displayed to a user, thus reducing user frustration and increasing user satisfaction, as taught by ‘226 at col. 3, lines 30-50 (i.e.... a web browser executing there....).

As to dependent claim 7, “displaying a matrix of bookmark media objects”, however as taught by ‘855 at col. 5, lines 35-45 (i.e. ... user 110 may view one or more past web pages 225 in past panel 220 contemporaneously with current web page 215 in

current panel 210. Preferably, user 110 may configure past panel 220 to display, for example, "X" number of past web pages 225 organized in a "m by n" matrix. In one embodiment of the present invention, during a browsing session, the present invention shifts the least recent past web page 225 off past panel 220 to accommodate more recent past web pages 225...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '855 into '226 to provide a way, wherein displaying a matrix of bookmark media objects. One of ordinary skill in the art would have been motivated to modify this combination to provide a web browser executing method, that can process page requests using processing and networking capacity, available during intervals of relatively low activity, such as, e.g. idle CPU or network capacity, that would otherwise be wasted, or for allocating varying amounts of networking resources away from downloading and display of components of a requested URL and in favor of downloading content associated with potential future URL requests. Advantageously, use of such a technique is likely to significantly increase the rate at which pages are typically displayed to a user, thus reducing user frustration and increasing user satisfaction, as taught by '226 at col. 3, lines 30-50 (i.e.... a web browser executing there....).

As to dependent claims 8 and 9, "displaying a stream of video", "outputting audible sounds", as taught by '226 at col. 32, lines 55-65 (i.e. ... a user can initiate any one of a number of different tasks through his personal computer, other than just downloading web pages, that nevertheless utilize network bandwidth. These tasks

include, e.g., undertaking work with directory service, sending and receiving e-mail messages, video-streaming and others...).

As to dependent claim 10, *"determining a status of each bookmark media object"*, however as taught by '855 at col. 9, lines 40-50 (i.e... browsing room 300 includes floor 340. Floor 340 may include various status information associated with web browsing...),

"and presenting a default bookmark media object when the status indicates the corresponding bookmark media object is not available", however as taught by '855 at col. 3, lines 40-50 (i.e.... user may designate a past web page as a "sticky" web page. Such a designation indicates that the sticky web page remains in its respective panel (and at its designated position, if appropriate... user may designate a future web page as a sticky web page. Such a designation indicates that the sticky web page remains in its respective panel (and at its designated position, if appropriate...)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '855 into '226 to provide a way, wherein determining a status of each bookmark media object and presenting a default bookmark media object when the status indicates the corresponding bookmark media object is not available. One of ordinary skill in the art would have been motivated to modify this combination to provide a web browser executing method, that can process page requests using processing and networking capacity, available during intervals of relatively low activity, such as, e.g. idle CPU or network capacity, that would otherwise be wasted, or for allocating varying amounts of networking resources away from

downloading and display of components of a requested URL and in favor of downloading content associated with potential future URL requests. Advantageously, use of such a technique is likely to significantly increase the rate at which pages are typically displayed to a user, thus reducing user frustration and increasing user satisfaction, as taught by '226 at col. 3, lines 30-50 (i.e.... a web browser executing there....).

As to dependent claim 11, incorporate substantially similar subject matter as cited in claim 1 above, and is similarly rejected along the same rationale.

As to dependent claim 12, incorporate substantially similar subject matter as cited in claim 4 above, and is similarly rejected along the same rationale.

As to dependent claim 39, incorporate substantially similar subject matter as cited in claim 1 above, and is similarly rejected along the same rationale.

As to independent claim 13, incorporate substantially similar subject matter as cited in claim 1 above, and further view of the following and is similarly rejected along the same rationale.

"storing the bookmark media objects on one or more servers within the computing environment", as taught by '226 at col. 4, lines 30-55 (i.e.... once a user, at a client computer, enters an address (e.g. a URL) of a desired web page, a set containing web addresses of pages, that based on the user model are each likely to be accessed next,.... As successive web pages are selected by the user and displayed, the immediately prior set of files for prefetched pages can be over-written by files for a

current set of prefetched pages... This model can reside in a web server, a client or across both...).

As to dependent claim 14, *"wherein updating each bookmark media object comprises, updating each bookmark media object as a function of current state of the corresponding to a network destination"*, however as taught by '855 at col. 8, line 60 through col. 9, line 15 (i.e... user 110 may bookmark current web page 215... the bookmark includes not only a reference to current web page 215, but also to each of past web pages 225 and future web pages 235 as well as their respective locations so that the entire scene of browsing room 300 may be recreated...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '855 into '226 to provide a way, wherein wherein updating each bookmark media object comprises, updating each bookmark media object as a function of current state of the corresponding to a network destination. One of ordinary skill in the art would have been motivated to modify this combination to provide a web browser executing method, that can process page requests using processing and networking capacity, available during intervals of relatively low activity, such as, e.g. idle CPU or network capacity, that would otherwise be wasted, or for allocating varying amounts of networking resources away from downloading and display of components of a requested URL and in favor of downloading content associated with potential future URL requests. Advantageously, use of such a technique is likely to significantly increase the rate at which pages are typically displayed to a user, thus

reducing user frustration and increasing user satisfaction, as taught by '226 at col. 3, lines 30-50 (i.e.... a web browser executing there....).

As to dependent claim 15, *wherein updating the each bookmark media object comprises updating each bookmark media object as a function of the information received from a remote user*", as taught by '226 at col. 21, line 65 through col. 22, line 5 (i.e. ... shown in FIG. 5, incoming information can arise from two illustrative external sources...).

As to dependent claim 16, *"the set of bookmark media objects is generated by a server within the computing environment"*, as taught by '226 at col. 4, lines 30-55 (i.e.... once a user, at a client computer, enters an address (e.g. a URL) of a desired web page, a set containing web addresses of pages, that based on the user model are each likely to be accessed next,.... As successive web pages are selected by the user and displayed, the immediately prior set of files for prefetched pages can be overwritten by files for a current set of prefetched pages... This model can reside in a web server, a client or across both...),

" and further wherein updating each bookmark media object comprises updating each bookmark media object as a function of host-determined conditions", as taught by '226 at col. 39, line 60 through col. 40, line 55 (i.e... FIG. 15A which depicts illustrative display 1500 from a web browser, such as browser 35 shown in FIG. 6, that contains preview windows 1520, and collaborative filtering output window 1530 which provides recommendations to a user. The reader should also simultaneously consider FIG. 15B

which depicts abstraction 1550 of display 1500 that illustrates various transition probabilities associated with this display...),

As to dependent claim 17, *"updating each bookmark media object comprises updating each bookmark media object when content of the corresponding network destination is changed"*, however as taught by '855 at col. 8, line 60 through col. 9, line 15 (i.e... user 110 may bookmark current web page 215... the bookmark includes not only a reference to current web page 215, but also to each of past web pages 225 and future web pages 235 as well as their respective locations so that the entire scene of browsing room 300 may be recreated...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '855 into '226 to provide a way, wherein updating each bookmark media object comprises updating each bookmark media object when content of the corresponding network destination is changed. One of ordinary skill in the art would have been motivated to modify this combination to provide a web browser executing method, that can process page requests using processing and networking capacity, available during intervals of relatively low activity, such as, e.g. idle CPU or network capacity, that would otherwise be wasted, or for allocating varying amounts of networking resources away from downloading and display of components of a requested URL and in favor of downloading content associated with potential future URL requests. Advantageously, use of such a technique is likely to significantly increase the rate at which pages are typically displayed to a user, thus reducing user

frustration and increasing user satisfaction, as taught by '226 at col. 3, lines 30-50 (i.e.... a web browser executing there....).

As to dependent claim 18, *"wherein generating a set of bookmark media objects includes generating a thumbnail for a first bookmark media object in the set"*, however as taught by '855 at col. 2, lines 60-65 (i.e. ... plurality of past web pages is rendered as a thumbnail image...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '855 into '226 to provide a way, wherein generating a set of bookmark media objects includes generating a thumbnail for a first bookmark media object in the set. One of ordinary skill in the art would have been motivated to modify this combination to provide a web browser executing method, that can process page requests using processing and networking capacity, available during intervals of relatively low activity, such as, e.g. idle CPU or network capacity, that would otherwise be wasted, or for allocating varying amounts of networking resources away from downloading and display of components of a requested URL and in favor of downloading content associated with potential future URL requests. Advantageously, use of such a technique is likely to significantly increase the rate at which pages are typically displayed to a user, thus reducing user frustration and increasing user satisfaction, as taught by '226 at col. 3, lines 30-50 (i.e.... a web browser executing there....).

As to dependent claim 19, *"wherein generating a set of bookmark media objects includes generating an video stream for a first bookmark media object in the*

set", as taught by '226 at col. 32, lines 55-65 (i.e. ... a user can initiate any one of a number of different tasks through his personal computer, other than just downloading web pages, that nevertheless utilize network bandwidth. These tasks include, e.g., undertaking work with directory service, sending and receiving e-mail messages, video-streaming and others...).

As to dependent claim 20, *"wherein generating a set of bookmark media objects includes generating an audio stream for a first bookmark media object in the set"*, as taught by '226 at col. 32, lines 55-65 (i.e. ... a user can initiate any one of a number of different tasks through his personal computer, other than just downloading web pages, that nevertheless utilize network bandwidth. These tasks include, e.g., undertaking work with directory service, sending and receiving e-mail messages, video-streaming and others...).

As to dependent claim 21, *"communicating the bookmark media objects to a client device for display to a user"*, as taught by '226 at col. 7, line 60 through col. 8, line 10 (i.e... networked connection has been established between client computer 10 and server computer 60, ... The term "page", in this context, refers to content accessed, via a URL, including, e.g., text, graphics and other information....selection amongst a stored list of addresses, i.e. so-called "bookmarks"...), also as taught by '226 at col. 39, line 60 through col. 40, line 55 (i.e... FIG. 15A which depicts illustrative display 1500 from a web browser, such as browser 35 shown in FIG. 6, that contains preview windows 1520, and collaborative filtering output window 1530 which provides recommendations to a user. The reader should also simultaneously consider FIG. 15B

which depicts abstraction 1550 of display 1500 that illustrates various transition probabilities associated with this display...).

As to independent claim 22, is directed to a computer-readable medium for performing the method of claim 1, and are similarly rejected under the same rationale.

As to dependent claim 23, is directed to a computer-readable medium for performing the method of claim 2, and are similarly rejected under the same rationale.

As to dependent claim 24, is directed to a computer-readable medium for performing the method of claim 3, and are similarly rejected under the same rationale.

As to dependent claim 25, is directed to a computer-readable medium for performing the method of claim 4, and are similarly rejected under the same rationale.

As to dependent claim 26, is directed to a computer readable medium for performing the method of claim 6, and is similarly rejected under the same rationale.

As to dependent claim 27, is directed to a computer-readable medium for performing the method of claim 8, and are similarly rejected under the same rationale.

As to dependent claim 28, is directed to a computer-readable medium for performing the method of claim 9, and are similarly rejected under the same rationale.

As to dependent claim 29, is directed to a computer-readable medium for performing the method of claim 10, and are similarly rejected under the same rationale.

As to dependent claim 30, is directed to a computer-readable medium for performing the method of claim 10, and are similarly rejected under the same rationale.

As to independent claim 31, is directed to a system comprising: a server configured to store a set of bookmark media objects for performing the method of independent claim 1, and are similarly rejected under the same rationale.

As to dependent claim 32, is directed to the system for performing the method of claim 6, and is similarly rejected under the same rationale.

As to dependent claim 33, is directed to a computer-readable medium for performing the method of claim 9, and are similarly rejected under the same rationale.

As to dependent claim 34, is directed to a computer-readable medium for performing the method of claim 8, and are similarly rejected under the same rationale.

As to dependent claim 35, "*a client device configured to store references to the bookmark media objects on the web server*" is taught in '423 col. 12, line 45 (i.e. storing a plurality of bookmark sets at a server coupled to a network).

As to dependent claim 36, is directed to the system for performing the method of claim 14, and are similarly rejected under the same rationale.

As to dependent claim 37, is directed to the system for performing the method of claim 15, and are similarly rejected under the same rationale.

As to dependent claim 38, is directed to the system for performing the method of claim 17, and are similarly rejected under the same rationale.

As to dependent claim 39, incorporate substantially similar subject matter as cited in claim 1 above, and is similarly rejected along the same rationale.

As to independent claim 40, is directed to a computer readable medium for performing the method of claim 13, and is similarly rejected under the same rationale.

As to dependent claim 41, is directed to a computer readable medium for performing the method of claim 14, and is similarly rejected under the same rationale.

As to dependent claim 42, is directed to a computer readable medium for performing the method of claim 16, and is similarly rejected under the same rationale.

As to dependent claim 43, is directed to a computer readable medium for performing the method of claim 17, and is similarly rejected under the same rationale.

As to independent claim 44, is directed to a computer readable medium for performing the method of claim 6, and is similarly rejected under the same rationale.

As to dependent claims 45, and 46 are directed to a computer readable medium for performing the method of claims 19, and 20, and are similarly rejected under the same rationale.

Response to Argument

4. Applicant's Brief On Appeal, filed 11/05/2004 have been fully considered but are moot in view of the new ground(s) of rejection.


Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (571) 272-4103. The examiner can normally be reached on Monday through Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SANJIV SHAH
PRIMARY EXAMINER

Quoc A. Tran
Patent Examiner
Technology Center 2176
February 15, 2005